

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BLUEFIELD DIVISION**

FREEDOM FROM RELIGION  
FOUNDATION, INC. et al.,

Plaintiffs,

v.

MERCER COUNTY BOARD OF  
EDUCATION et al.,

Defendants.

Civil Action No. 1:17-cv-00642

Hon. David A. Faber

**NOTICE OF WITHDRAW AS COUNSEL**

PLEASE TAKE NOTICE that, pursuant to Local Rule 83.4, attorney Michael J. Walsh, Jr., counsel for Defendants Mercer County Board of Education, Mercer County Schools, and Dr. Deborah S. Akers, hereby withdraws as counsel. After today, Mr. Walsh will no longer be affiliated with O'Melveny & Myers LLP. Multiple other attorneys have appeared as counsel for these same parties, and these attorneys will still be counsel of record for these parties after this withdrawal takes effect (upon filing). Attorneys from O'Melveny & Myers LLP and First Liberty Institute will continue to represent these defendants on appeal and will appear in this action in the event it is remanded to this Court.

Dated: January 5, 2018

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 5th day of January, 2018 I electronically filed the foregoing NOTICE OF WITHDRAW AS COUNSEL using the CM/ECF system, which will send notice to all registered users.

By: /s/ Michael J. Walsh, Jr.  
MICHAEL J. WALSH, JR.  
Attorney for Defendants